

RESPONSE

Claims 1-52 are pending in this Application. Independent claims 1, 21, 24, 27, 47 and 50 have been amended to correspond with the proposed amendments discussed during the interview with the Examiner on May 25, 2007. Support for the amendments is found in paragraphs [0052], [0066], [0080] and [0099] of the Application. As reflected by the attached Interview Summary, the rejections and prior art relied on in the January 5, 2007 Office Action were discussed and an agreement was reached with respect to the claims. In short, the Examiner agreed to withdraw the rejections and allow the claims in response to a formal response that addresses the rejections and includes the amendments proposed during the interview if a further search yields no other relevant reference. The Amendment and Response therefore, addresses the rejections in view of the amendments to independent claims 1, 21, 24, 27, 47 and 50.

SECTION 101 REJECTIONS

Although claims 1-52 were previously allowed by the Examiner, claims 24-26 and 50-52 were rejected under 35 U.S.C. § 101 for allegedly lacking utility. Applicants respectfully traverse this rejection and submit that the Examiner agreed to withdraw this rejection in view of the new guidelines referred to in the April 12, 2007 Memorandum from the Deputy Commissioner for Patent Examination Policy regarding Clarification of Interim Guidelines for Examination of Patent Applications for Subject Matter Eligibility.

The Examiner also cites 35 U.S.C. § 101 as a basis for objecting to claims 1-26 and 27-52, however, does not compare the pending claims with that of another patent or patent application for the alleged "same invention." Instead, the Examiner argues that claims 27-52 are a substantial duplicate of claims 1-26. Applicants respectfully traverse this rejection and submit

that the Examiner agreed to withdraw this rejection/objection in view of the amendments that further distinguish between claims 1-26 and 27-52.

SECTION 112 REJECTIONS

Although claims 1-52 were previously allowed by the Examiner, claims 1-52 were rejected under 35 U.S.C. § 112 as allegedly failing to comply with the written description requirement. Applicants respectfully traverse this rejection and submit that the Examiner agreed to withdraw this rejection in view of the amendments to independent claims 1, 21, 24, 27, 47 and 50.

To the extent that the Examiner rejected claims 24-26 and 50-52 under 35 U.S.C. § 112 for allegedly failing to assert utility, Applicants respectfully traverse this rejection and submit that these claims meet the new guidelines pertaining to the examination of patent applications for subject matter eligibility.

SECTION 103 REJECTION

Claims 1-52 were rejected under 35 U.S.C. § 103 as being unpatentable over *Holden* (VoxelGeo 1.1). As requested by the Examiner in the Office Action, the complete VoxelGeo 1.1 User's Guide was filed on April 11, 2007 as part of Applicants' Sixth Supplemental Information Disclosure Statement. Applicants respectfully traverse this rejection and submit that the Examiner agreed to withdraw this rejection in view of the amendments to independent claims 1, 21, 24, 27, 47 and 50.

During the interview, it was agreed that the description relied upon by the Examiner in *Holden* did not teach or suggest the amendments discussed because *Holden* clearly states that the image of the sub-volume does not re-render (redraw) pursuant to movement (editing) along a

particular axis until the slider bar is released. In other words, the image of the sub-volume in the rendering window reflects the edits after they are made – not while they are made.

Because *Holden* fails to teach or suggest each element of independent claims 1, 21, 24, 27, 47 and 50, Applicants respectfully submit that these claims are patentable over *Holden*. MPEP 2143. Claims 2-20, 22-23, 25-26, 28-46, 48-49 and 51-52 are likewise patentable over *Holden* because these claims ultimately depend from independent claims 1, 21, 24, 27, 47 or 50. Claims 1-52, as amended, are also believed to be patentable over the references made of record but not relied upon.

CONCLUSION

Based upon the foregoing response and amendments, which were discussed during the interview, Applicants respectfully request reconsideration and allowance of the claims, as amended, and confirmation of the Examiner's consideration of Applicants' Sixth Supplemental Information Disclosure Statement. In the event that any new reference is determined to be material to the prosecution of this Application, and not redundant of the prior art already cited, Applicants respectfully request prompt examination of the claims in view of the new reference(s) and formal withdrawal of the rejections in the January 5, 2007 Office Action. The Examiner is invited to telephone Applicants' representative to discuss the merits of the Application or any other matter pertinent to the prosecution.

The Commissioner is hereby authorized to charge \$1,020.00 for the extension fee within the third month and any other amount required, or credit any overpayment, to Deposit Account No. 50,3385.

Respectfully submitted,

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Crain Caton & James
1401 McKinney, Suite 1700
Houston, Texas 77010-4035
Tel: (713) 658-2323
Fax: (713) 658-1921
wjensen@craincaton.com

/William P. Jensen/
William P. Jensen
Reg. No. 36,833